

Town of West Yellowstone

Tuesday, April 21, 2015

West Yellowstone Town Hall, 440 Yellowstone Avenue

7:00 PM

TOWN COUNCIL MEETING AGENDA

Pledge of Allegiance

Purchase Orders

Treasurer's Report/Securities Report ∞

Claims ∞

Consent Agenda: **April 7, 2015 Work Session & Town Council Meeting** ∞

April 14, 2015 Work Session ∞

Business License Applications

- Geyser Inn ∞

Advisory Board Report(s)

Operations Manager & Department Head Reports

Assignments Report

Comment Period

- **Public Comment**
- **Council Comments**

UNFINISHED BUSINESS

Proposal from Hebgen Basin Fire District to purchase the Emergency Services Building at 400 Yellowstone Avenue for \$200,000 (Tabled 1/20/15)

Discussion/Action ∞

NEW BUSINESS

Ordinance No. 258, Resort Tax, 1st Reading

Discussion/Action ∞

Resolution No. 661, Public Records Request Policy

Discussion/Action ∞

Recruitment Services Contract, Prothman Company

Discussion/Action ∞

Executive Session with Town Attorney to discuss pending litigation, Closed to the Public

Correspondence/FYI

Meeting Reminders



Policy No. 16 (Abbreviated)
Policy on Public Hearings and Conduct at Public Meetings

Public Hearing/Public Meeting

A public hearing is a formal opportunity for citizens to give their views to the Town Council for consideration in its decision making process on a specific issue. At a minimum, a public hearing shall provide for submission of both oral and written testimony for and against the action or matter at issue.

Oral Communication

It is the Council's goal that citizens resolve their complaints for service or regarding employees' performance at the staff level. However, it is recognized that citizens may from time to time believe it is necessary to speak to Town Council on matters of concern. Accordingly, Town Council expects any citizen to speak in a civil manner, with due respect for the decorum of the meeting, and with due respect for all persons attending.

- No member of the public shall be heard until recognized by the presiding officer.
- Public comments related to non-agenda items will only be heard during the Public Comment portion of the meeting unless the issue is a Public Hearing. Public comments specifically related to an agenda item will be heard immediately prior to the Council taking up the item for deliberation.
- Speakers must state their name for the record.
- Any citizen requesting to speak shall limit him or herself to matters of fact regarding the issue of concern.
- Comments should be limited to three (3) minutes unless prior approval by the presiding officer.
- If a representative is elected to speak for a group, the presiding officer may approve an increased time allotment.
- If a response from the Council or Board is requested by the speaker and cannot be made verbally at the Council or Board meeting, the speaker's concerns should be addressed in writing within two weeks.
- Personal attacks made publicly toward any citizen, council member, or town employees are not allowed. Citizens are encouraged to bring their complaints regarding employee performance through the supervisory chain of command.

Any member of the public interrupting Town Council proceedings, approaching the dais without permission, otherwise creating a disturbance, or failing to abide by these rules of procedure in addressing Town Council, shall be deemed to have disrupted a public meeting and, at the direction of the presiding officer, shall be removed from the meeting room by Police Department personnel or other agent designated by Town Council or Operations Manager.

General Town Council Meeting Information

- Regular Town Council meetings are held at 7:00 PM on the first and third Tuesdays of each month at the West Yellowstone Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana.
- Presently, informal Town Council work sessions are held at 12 Noon on Tuesdays and occasionally on other mornings and evenings. Work sessions also take place at the Town Hall located at 440 Yellowstone Avenue.
- The schedule for Town Council meetings and work sessions is detailed on an agenda. The agenda is a list of business items to be considered at a meeting. Copies of agendas are available at the entrance to the meeting room.
- Agendas are published at least 48 hours prior to Town Council meetings and work sessions. Agendas are posted at the Town Offices and at the Post Office. In addition, agendas and packets are available online at the Town's website: www.townofwestyellowstone.com. Questions about the agenda may be directed to the Town Clerk at 646-7795.
- Official minutes of Town Council meetings are prepared and kept by the Town Clerk and are reviewed and approved by the Town Council. Copies of approved minutes are available at the Town Clerk's office or on the Town's website: www.townofwestyellowstone.com.

Treasurer's Report 3/2015

04/17/15
12:32:54

TOWN OF WEST YELLOWSTONE
Cash Report
For the Accounting Period: 3/15

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Report ID: L160

Fund/Account	Beginning Balance	Received	Transfers In	Disbursed	Transfers Out	Ending Balance
1000 General Fund						
101000 CASH	-179,890.46	598,883.56	299.99	159,398.71	258,624.11	1,270.27
101100 Investments - CD's	214,344.63	0.00	0.00	0.00	0.00	214,344.63
101300 Investments - Money Market Accou	570,060.73	158,981.13	0.00	200,000.00	0.00	529,041.86
101500 Investment-STIP	834,456.74	286.12	0.00	179,000.00	0.00	655,742.86
103000 Petty Cash	50.00	0.00	0.00	0.00	0.00	50.00
103100 Town Office	50.00	0.00	0.00	0.00	0.00	50.00
103200 Petty Cash/WY Police Dept	50.00	0.00	0.00	0.00	0.00	50.00
103400 Petty Cash-Recreation	150.00	0.00	0.00	0.00	0.00	150.00
Total Fund	1,439,271.64	758,150.81	299.99	538,398.71	258,624.11	1,400,699.62
2100 Local Option Taxation-Resort Tax						
101000 CASH	56,300.76	223,113.29	0.00	278,468.38	0.00	945.67
101300 Investments - Money Market Accou	0.28	0.00	0.00	0.00	0.00	0.28
101500 Investment-STIP	263,620.00	130,000.00	0.00	11,070.00	0.00	382,550.00
102200 Bond Reserve Cash Acct-10%	12,329.62	0.19	0.00	0.00	0.00	12,329.81
102215 STIP Investment-Rev Bond current	76,424.32	11,087.24	0.00	65,218.47	0.00	22,293.09
102225 STIP Reserve Acct Town Hall 10%	135,996.31	30.70	0.00	0.00	0.00	136,027.01
Total Fund	544,671.29	364,231.42		354,756.85		554,145.86
2101 Marketing & Promotions (MAP)						
101000 CASH	42,070.89	3,872.00	0.00	0.00	9,904.25	36,038.64
101300 Investments - Money Market Accou	2,015.37	0.30	0.00	0.00	0.00	2,015.67
101500 Investment-STIP	65,900.00	0.00	0.00	0.00	0.00	65,900.00
Total Fund	109,986.26	3,872.30			9,904.25	103,954.31
2102 TBID (Tourism Business Improvement District)						
101000 CASH	10,052.37	11,580.00	0.00	347.40	9,665.08	11,619.89
2111 Off Street Parking						
101000 CASH	1,820.76	0.03	0.00	0.00	0.00	1,820.79
101500 Investment-STIP	68,735.33	15.52	0.00	0.00	0.00	68,750.85
Total Fund	70,556.09	15.55				70,571.64
2210 Parks & Recreation						
101000 CASH	5,737.36	1,700.00	0.00	0.00	0.00	7,437.36
2211 Parks/Rec Donations - Teen Center						
101000 CASH	5,158.41	0.08	0.00	0.00	0.00	5,158.49
2212 Parks - Volleyball Court						
101000 CASH	3,882.77	0.06	0.00	0.00	0.00	3,882.83
2213 Community Garden						
101000 CASH	551.76	0.01	0.00	0.00	0.00	551.77
2214 Smoking Waters Day Camp -scholarships						
101000 CASH	2,360.31	0.04	0.00	0.00	0.00	2,360.35
2220 Library						
101000 CASH	6,264.60	47,217.30	0.00	0.00	16,568.29	36,913.61
102130 Donations for Extension Svcs Lib	1,480.09	0.02	0.00	0.00	0.00	1,480.11
103000 Petty Cash	50.00	0.00	0.00	0.00	0.00	50.00
Total Fund	7,794.69	47,217.32			16,568.29	38,443.72
2240 Cemetery						
101000 CASH	5,211.84	0.08	0.00	0.00	0.00	5,211.92
101500 Investment-STIP	6,831.15	0.00	0.00	0.00	0.00	6,831.15
Total Fund	12,042.99	0.08				12,043.07

TOWN OF WEST YELLOWSTONE
Cash Report
For the Accounting Period: 3/15

Fund/Account	Beginning Balance	Received	Transfers In	Disbursed	Transfers Out	Ending Balance
2390 Drug Forfeiture						
101000 CASH	2,233.84	1,000.00	0.00	0.00	3,000.00	233.84
101500 Investment-STIP	27,858.85	0.00	0.00	1,000.00	0.00	26,858.85
Total Fund	30,092.69	1,000.00		1,000.00	3,000.00	27,092.69
2392 CDBG-Local Source						
101000 CASH	11,805.77	175.18	0.00	0.00	0.00	11,980.95
101500 Investment-STIP	68,822.72	0.00	0.00	0.00	0.00	68,822.72
Total Fund	80,628.49	175.18				80,803.67
2701 Cemetery Perpetual Care (7050)						
101000 CASH	1,866.95	0.03	0.00	0.00	0.00	1,866.98
101500 Investment-STIP	35,924.82	8.11	0.00	0.00	0.00	35,932.93
Total Fund	37,791.77	8.14				37,799.91
2820 Gas Tax Apportionment						
101000 CASH	9,092.93	2,487.04	0.00	0.00	0.00	11,579.97
101300 Investments - Money Market Accou	10,027.36	1.48	0.00	0.00	0.00	10,028.84
101500 Investment-STIP	65,005.61	14.67	0.00	0.00	0.00	65,020.28
Total Fund	84,125.90	2,503.19				86,629.09
2850 911 Emergency						
101000 CASH	-10,044.77	0.00	0.00	0.00	1,112.27	-11,157.04
101500 Investment-STIP	0.84	0.00	0.00	0.00	0.00	0.84
Total Fund	-10,043.93				1,112.27	-11,156.20
2917 Crime Victims Assistance						
101000 CASH	20,053.67	0.00	0.00	0.00	0.00	20,053.67
3050 GO Bond						
101000 CASH	90,494.07	414.54	0.00	0.00	0.00	90,908.61
101300 Investments - Money Market Accou	84,223.42	12.47	0.00	0.00	0.00	84,235.89
101500 Investment-STIP	47,664.32	10.76	0.00	0.00	0.00	47,675.08
Total Fund	222,381.81	437.77				222,819.58
4000 Capital Projects/Equipment						
101000 CASH	6,708.41	0.08	0.00	0.00	1,200.00	5,508.49
101500 Investment-STIP	88,135.05	19.90	0.00	0.00	0.00	88,154.95
Total Fund	94,843.46	19.98			1,200.00	93,663.44
4060 Public Works Equipment Replacement						
101000 CASH	1,255.75	0.00	0.00	0.00	0.00	1,255.75
101500 Investment-STIP	238.01	0.05	0.00	0.00	0.00	238.06
Total Fund	1,493.76	0.05				1,493.81
4070 Parkway Construction/Mtn						
101300 Investments - Money Market Accou	2,761.65	0.41	0.00	0.00	0.00	2,762.06
101500 Investment-STIP	4,058.29	0.92	0.00	0.00	0.00	4,059.21
Total Fund	6,819.94	1.33				6,821.27
4075 Street Construction /Maintenance						
101500 Investment-STIP	246,214.28	55.58	0.00	0.00	0.00	246,269.86
5210 Water Operating Fund						
101000 CASH	67,553.11	17,525.70	0.00	0.00	9,899.84	75,178.97
101300 Investments - Money Market Accou	10,027.36	1.48	0.00	0.00	0.00	10,028.84
101500 Investment-STIP	182,193.24	41.13	0.00	0.00	0.00	182,234.37
102245 Replacement & Depreciation Ent.	148,703.69	33.56	0.00	0.00	0.00	148,737.25
Total Fund	408,477.40	17,601.87			9,899.84	416,179.43

TOWN OF WEST YELLOWSTONE
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Fund/Account	Beginning Balance	Received	Transfers In	Disbursed	Transfers Out	Ending Balance
5220 Water Replacement Depreciation Fund						
101000 CASH	11,077.00	0.00	0.00	0.00	0.00	11,077.00
101500 Investment-STIP	211,839.23	47.83	0.00	0.00	0.00	211,887.06
Total Fund	222,916.23	47.83				222,964.06
5310 Sewer Operating Fund						
101000 CASH	130,399.54	41,535.36	1,027.30	50,000.00	22,467.66	100,494.54
101300 Investments - Money Market Accou	64,084.36	9.49	0.00	0.00	0.00	64,093.85
101500 Investment-STIP	365,999.75	50,082.62	0.00	0.00	0.00	416,082.37
101510 Mad Add Construction-STIP	60,487.36	13.66	0.00	0.00	0.00	60,501.02
102245 Replacement & Depreciation Ent.	129,921.61	29.32	0.00	0.00	0.00	129,950.93
Total Fund	750,892.62	91,670.45	1,027.30	50,000.00	22,467.66	771,122.71
5320 Sewer Replacement Depreciation Fund						
101000 CASH	322.00	0.00	0.00	0.00	0.00	322.00
101500 Investment-STIP	270,185.59	60.99	0.00	0.00	0.00	270,246.58
Total Fund	270,507.59	60.99				270,568.58
7010 Social Services/Help Fund						
101000 CASH	25,866.20	1,078.41	0.00	0.00	329.80	26,614.81
7195 Court Collections Trust Acct						
101000 CASH	11,806.49	0.00	0.00	0.00	0.00	11,806.49
7458 Court Surcharge HB176						
101000 CASH	15,100.00	0.00	0.00	0.00	0.00	15,100.00
7467 MT Law Enforcement Academy (MLEA)						
101000 CASH	14,984.00	0.00	0.00	0.00	0.00	14,984.00
7468 Public Defender Fee						
101000 CASH	2,461.00	0.00	0.00	0.00	0.00	2,461.00
7469 City Court - Judge Brandis						
101000 CASH	6,536.00	1,765.00	0.00	0.00	1,420.00	6,881.00
7910 Payroll Fund						
101000 CASH	27,960.00	0.00	197,615.99	232,273.86	0.00	-6,697.87
7930 Claims Fund						
101000 CASH	17,835.01	0.00	135,248.02	144,066.57	0.00	9,016.46
Totals	4,801,810.32	1,303,193.44	334,191.30	1,320,843.39	334,191.30	4,784,160.37

*** Transfers In and Transfers Out columns should match. There are a couple exceptions to this: 1) Canceled Electronic Checks and 2) Payroll Journal Vouchers that include local deductions set up with receipt accounting. Please see cash reconciliation procedure in manual or call for more details.



REPURCHASE CONFIRMATION

Treasurer's Office
 Town of West Yellowstone
 P.O. Box 1570.
 West Yellowstone, MT 59758
 via Fax: 646-7511

Securities Report

Tax ID Number: 81-0299400

REPURCHASE CONFIRMATION

Agreement Number: 60722900
 Trade Date: 4/10/2015
 Settlement Date: 4/10/2015
 Maturity Date: 4/13/2015
 Repurchase Rate: 0.036% (The average investment rate for 91-day T-Bills, adjusted weekly.)
 Current Balance: \$541,286.26
 Accrued Interest: \$5.16

SECURITIES DESCRIPTION

Security	CUSIP	Rate	Maturity	Par	Market Value
Gallatin County, MT SD # 44	36370NBL8	3.00%	6/15/2015	\$200,000	\$202,989
Madison County, MT K-12 SD	55734RAZ0	2.00%	7/1/2017	\$375,000	\$386,801
Lake County, MT SD #30	509405BT2	2.00%	7/1/2015	\$300,000	\$302,871
					<u>\$892,661</u>

Fractional Interest in Securities* : 61%

*Fractional Interest = [(Current Balance)/(Market Value)] %

This Repurchase Agreement is not a deposit and is not covered by FDIC deposit insurance or the FDIC Transaction Account Guaranty Program. In the event of a bank failure, the Town of West Yellowstone will become the owner of the Securities, or obtains a perfected security interest in these Securities.

Operating Account Information

Account Number: 60722892
 Date: 4/13/2015
 Balance: \$9,565.54
 Current Rate: 6.00%
 Accrued Interest: \$0.00

Money Market Account Information

Account Number: 60606285
 Date: 4/13/2015
 Balance: \$702,207.29
 Current Rate: 0.19%
 Accrued Interest: \$43.86

* ... Over spent expenditure

Claim	Vendor #/Name/	Document \$/	Disc \$						Cash
Check	Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object	Proj	Account	
40788	2551 Thyssenkrupp Elevator Corp	388.27							
3001754829	04/01/15 elevator maint-Povah	388.27*		POVAH	1000 411255	350		101000	
40791	266 Utilities Underground Location	20.02							
5035295	03/31/15 excavation notifications	10.01		WATER	5210 430500	357		101000	
5035295	03/31/15 excavation notifications	10.01		SEWER	5310 430600	357		101000	
40792	2845 Kasting, Kauffman & Mersen, PC	19,500.49							
bill spans services for 3 months									
	04/05/15 legal services	19,317.50		LEGAL	1000 411100	352		101000	
	04/05/15 postage/copies	80.41		LEGAL	1000 411100	870		101000	
	04/05/15 phone/fax	3.90		LEGAL	1000 411100	345		101000	
	04/05/15 travel	98.68		LEGAL	1000 411100	373		101000	
40797	2558 Hebgen Basin Fire District	45,563.00							
	04/15/15 April 2015	45,563.00		FIRE	1000 420400	357		101000	
40798	146 Morrison-Maierle, Inc	707.50							
20843	04/07/15 PD online backup	70.00		DISPAT	1000 420160	398		101000	
20844	04/07/15 Town Offices online backup	60.00		FINADM	1000 410510	356		101000	
20863	04/06/15 Network maint/support	577.50			1000 420160	398		101000	
40799	2546 Century Link QCC	48.23							
	03/23/15 long dist chg 406-646-7600	48.23		finadm	1000 410510	345		101000	
40801	2789 WEX Bank	2,132.10							
	04/01/15 07 Ford Expedition 6-54563A	39.77		SS	1000 450135	231		101000	
	04/01/15 06 Dodge Durango 6-1374	89.05		POLICE	1000 430200	231		101000	
	04/01/15 10 Ford Crown Vic 6-34157A	85.69		POLICE	1000 420100	231		101000	
	04/01/15 08 Ford Crown Vic 6-1437	23.44		POLICE	1000 420100	231		101000	
	04/01/15 10 Ford Expedition 6-000046	177.22		POLICE	1000 420100	231		101000	
	04/01/15 11 Ford Expedition 6-21425A	307.51		POLICE	1000 420100	231		101000	
	04/01/15 77 Intl Dumptruck	0.00		STREET	1000 430200	231		101000	
	04/01/15 78 Chevy Dumptruck	0.00		STREET	1000 430200	231		101000	
	04/01/15 78 Autocar Dumptruck	0.00		STREET	1000 430200	231		101000	
	04/01/15 85 Ford F-350	55.39		STREET	1000 430200	231		101000	
	04/01/15 140 G Grader	119.29		STREET	1000 430200	231		101000	
	04/01/15 CAT 936 Loader	186.32		STREET	1000 430200	231		101000	
	04/01/15 93 Dodge 6-582	79.40		STREET	1000 430200	231		101000	
	04/01/15 95 Mobile Sweeper	0.00		STREET	1000 430200	231		101000	
	04/01/15 97 Athey Sweeper	0.00		STREET	1000 430200	231		101000	
	04/01/15 99 SS Snowblower	0.00		STREET	1000 430200	231		101000	
	04/01/15 00 Freightliner Dump 6-60700A	0.00		STREET	1000 430200	231		101000	
	04/01/15 Snowmobile	0.00		STREET	1000 420100	231		101000	
	04/01/15 02 Freightliner Dump 6-54564A	0.00		STREET	1000 430200	231		101000	
	04/01/15 08 Ford Pickup 6-1450	87.11		STREET	1000 430200	231		101000	

* ... Over spent expenditure

Claim	Vendor #/Name/ Check Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
	04/01/15 08 GMC Pickup 6-1484	129.36		STREET	1000 430200	231	101000
	04/01/15 08 CAT 938H Loader	391.92		STREET	1000 430200	231	101000
	04/01/15 08 904B MiniLoader	189.18		STREET	1000 430200	231	101000
	04/01/15 YNP Truck #1	0.00		STREET	1000 430200	231	101000
	04/01/15 YNP Truck #2	0.00		STREET	1000 430200	231	101000
	04/01/15 08 Ford Escape (multi-use)	31.83		DISPAT	1000 410510	370	101000
	04/01/15 14 Police Interceptor	139.62		POLICE	1000 420100	231	101000
40833	2673 First Bankcard	1,580.03					
	03/03/15 Carrot Top, flags	42.00*		POVAH	1000 411255	220	101000
	03/03/15 Carrot Top, flags	268.12		TWNHAL	1000 411250	220	101000
	03/09/15 Rossiter Elec, switch, motor	560.00*		SEWER	5310 430600	369	101000
	03/10/15 MT Gov online, regis Arnado	75.00		BLDINS	1000 420531	380	101000
	03/12/15 Home Depot, supplies, vac	158.91		POVAH	1000 411255	366	101000
	03/20/15 Home Depot, Schlage Cams	476.00*		TRAILH	1000 411256	366	101000
40834	99905 Department of Revenue	270.00					
	04/02/15 tax withholding pmt penalty	270.00*		FINADM	1000 410510	870	101000
40835	54 Bozeman Daily Chronicle	457.60					
	04/01/15 subscription, Town Hall	228.80*		ADMIN	1000 410210	333	101000
	04/01/15 subscription, Police Dept	228.80*		DISPAT	1000 420160	333	101000
40836	2601 Chemnet Consortium, Inc.	35.00					
	82835 03/24/15 random drug test fee	35.00		ADMIN	1000 410210	351	101000
40837	2900 Joel Peterson Appraisal, Inc.	2,500.00					
	715 04/03/15 ESB appraisal	2,500.00		ADMIN	1000 410210	356	101000
40838	135 Food Roundup	3.39					
	04/01/15 supplies	3.59		FINADM	1000 410510	220	101000
	04/01/15 supplies	2.67		SEWER	5310 430640	357	101000
	04/01/15 credit	-2.87		LEGIS	1000 410100	220	101000
40839	1404 US BANK	350.00					
	3933817 03/25/15 paying agent fee, GO bond	350.00		GO	3050 490100	630	101000
40840	2140 MMIA MONTANA	1,310.00					
	315016 04/06/15 deductible recover, A. Frank	1,310.00*		INS	1000 510330	512	101000
40841	1454 Bozeman Chronicle/Big Sky	118.75					
	1259934 03/15/15 J. Berger Retire ad	118.75		ADMIN	1000 410210	327	101000

04/17/15
15:58:10

TOWN OF WEST YELLOWSTONE
Claim Approval List
For the Accounting Period: 4/15

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Report ID: AP100

* ... Over spent expenditure

Claim	Vendor #/Name/	Document \$/	Disc \$						Cash
Check	Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object	Proj	Account	
40842	1331 West Yellowstone Foundation	7,500.00							
	04/07/15 Bus funding, 2nd half FY 15	7,500.00		LEGIS	1000 410100	870		101000	
40843	40 Jerry's Enterprises	65.97							
	03/13/15 mouse	17.99		DISPAT	1000 420160	220		101000	
	03/13/15 computer accessories	47.98		DISPAT	1000 420160	220		101000	
40844	1241 Safeguard	321.32							
	30579554 03/20/15 parking tickets	321.32		DISPAT	1000 420160	220		101000	
40845	2507 Silvertip Pharmacy	133.00							
	03/18/15 Rx	50.00		HELP	7010 450135	358		101000	
	04/01/15 Rx	25.00		HELP	7010 450135	358		101000	
	04/03/15 Rx	25.00		HELP	7010 450135	358		101000	
	04/09/15 Rx	33.00		HELP	7010 450135	358		101000	
40846	489 MSE ANALYTICAL LABORATORY	396.00							
	1502084 02/16/15 water samples	198.00		WATER	5210 430500	357		101000	
	1503078 03/15/18 water samples	198.00		WATER	5210 430500	357		101000	
40847	2764 HD Supply Waterworks, Ltd.	183.52							
	D472624 04/08/15 sewer supply	183.52*		SEWER	5310 430600	369		101000	
40848	2586 Waxie Sanitary Supply	826.35							
	75206283 04/10/15 custodial supplies	826.35		PARKS	1000 460430	220		101000	
40849	951 Barnes & Noble	202.91							
	2999434 04/01/15 books	13.49		LIB	2220 460100	215		101000	
	2999435 04/01/15 books	67.95		LIB	2220 460100	215		101000	
	2997849 03/28/15 books	35.57		LIB	2220 460100	215		101000	
	2997978 03/28/15 books	85.90		LIB	2220 460100	215		101000	
40850	764 General Distributing Co.	43.71							
	319410 03/31/15 compressed O2	43.71		STREET	1000 430200	220		101000	
40851	151 Gallatin County WY TS/Compost	435.75							
	03/31/15 transfer station charges	435.75		PARKS	1000 460430	534		101000	
40852	379 Energy Laboratories, Inc	297.50							
	350450628 04/10/15 wastewater samples	297.50		SEWER	5310 430640	357		101000	

04/17/15
15:58:10

TOWN OF WEST YELLOWSTONE
Claim Approval List
For the Accounting Period: 4/15

Page: 4 of 6
Report ID: AP100

* ... Over spent expenditure

Claim	Vendor #/Name/ Check Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
40853	2635 Jake's Automotive and Tire 13109 04/10/15 maint, 08 Crown Vic	705.85 705.85					
				POLICE	1000 420100	361	101000
40854	73 Westmart Building Center	4,483.63					
	03/27/15 supplies	82.90*		STREET	1000 430200	366	101000
	03/27/15 supplies	27.09		STREET	1000 430200	220	101000
	03/27/15 supplies	14.98		SEWER	5310 430600	220	101000
	03/27/15 supplies	1,238.16*		POLICE	1000 411258	366	101000
	03/27/15 supplies	550.96		UPDL	1000 411252	220	101000
	03/27/15 supplies	29.36*		TWNHAL	1000 411250	366	101000
	03/27/15 supplies	2,402.42*		POVAH	1000 411255	220	101000
	03/27/15 supplies	5.69		PARKS	1000 460430	220	101000
	03/27/15 supplies	6.63		PARKS	1000 460430	366	101000
	03/27/15 supplies	11.94*		TRAIL	1000 411256	366	101000
	03/27/15 supplies	113.50		LEGIS	1000 410100	220	101000
40855	2658 Delfino Salinas 04/10/15 interpretation fees	20.00 20.00					
				COURT	1000 410360	394	101000
40856	547 WY Chamber of Commerce MAP VIC 02/05/14 VC staffing, FY 2012 award	3,680.07 3,680.07					
				MAP	2101 410130	398	101000
40857	2847 West Yellowstone Sled Dog Races 03/25/15 Yellowstone Spec. 2015 purse 03/25/15 advance	1,500.00 4,000.00 -2,500.00					
				MAP	2101 410130	398	101000
				MAP	2101 410130	398	101000
40858	533 Market Place 03/31/15 supplies 03/31/15 supplies	213.98 204.01 9.97					
				LEGIS	1000 410100	220	101000
				REC	1000 460440	220	101000
40859	171 Montana Food Bank Network AIV-0071 04/06/15 annual dues AOR-0068-1 04/08/15 commodities AOR-0069-1 04/08/15 commodities	331.20 75.00 18.75 237.45					
				HELP	7010 450135	220	101000
				HELP	7010 450135	220	101000
				HELP	7010 450135	220	101000
40860	2882 De Lage Landen 45310409 04/11/15 copier payment, 2 months	311.30 311.30					
				LIB	2220 460100	398	101000
40861	2264 MORNING GLORY COFFEE & TEA 754197 04/08/15 supplies	15.00 15.00					
				DISPAT	1000 420160	220	101000

04/17/15
15:58:10

TOWN OF WEST YELLOWSTONE
Claim Approval List
For the Accounting Period: 4/15

Page: 5 of 6
Report ID: AP100

* ... Over spent expenditure

Claim	Vendor #/Name/ Check Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
40862	2823 STAPLES Credit Plan	427.69					
	03/12/15 supplies	47.47		JAIL	1000 420230	220	101000
	03/12/15 supplies	380.22		DISP	1000 420160	220	101000
40863	2835 Corner Cenex	15.76					
	849 03/31/15 supplies	15.76		LEGIS	1000 410100	220	101000
40864	1331 West Yellowstone Foundation	30.00					
	04/07/15 bus vouchers	30.00		HELP	7010 450135	220	101000
40865	29 Terrell's Office Machines Inc	52.50					
	299545 04/01/15 maint contract, copier	52.50		LIB	2220 460100	398	101000
40866	332 Allegra	77.90					
	228202 04/15/15 perforate paper, bus licenses	77.90		FINADM	1000 410510	390	101000
40867	2707 MSU Extension	890.00					
	04/16/15 Institute regis, Holtzen	390.00		FINADM	1000 410510	335	101000
	04/16/15 Institute regis, Gospodarek	250.00		FINADM	1000 410510	335	101000
	04/16/15 Institute regis, Roos	250.00		FINADM	1000 410510	335	101000
40868	1140 Sagebrush Floral	40.00					
	591432 04/07/15 flowers, dance recital	40.00		REC	1000 460440	220	101000
40869	2514 Kathy Arnado	276.00					
	04/17/15 motel + meals, Missoula, Arnad	276.00		SOCSEK	1000 450135	370	101000
40870	2291 American Express	2,777.68					
	03/10/15 Amazon, phone accessory	31.74		DISPAT	1000 420160	220	101000
	03/12/15 Costco, wire racks & boxes	549.95*		DRUG	2390 420142	220	101000
	03/13/15 Cabela's, gift card, Dittmann	500.00		LEGIS	1000 410100	220	101000
	03/13/15 Xbix, console repair/replace	781.22		DISPAT	1000 420160	362	101000
	03/13/15 Xbix, console repair/replace	250.00		DISPAT	1000 420160	369	101000
	03/13/15 Xbix, return, credit next mo.	410.06		DISPAT	1000 420160	362	101000
	03/17/15 Walmart, microwave	116.79		DISPAT	1000 420160	220	101000
	03/17/15 Wild West, supplies	71.07		LEGIS	1000 410100	220	101000
	04/04/15 Malwarebytes, virus software	24.95		LIB	2220 460100	216	101000
	04/04/15 Malwarebytes, virus software	41.90		LIB	2220 460100	216	101000
	# of Claims	45	Total:				101,238.97

Fund/Account	Amount
1000 General Fund	
101000 CASH	\$92,556.50
2101 Marketing & Promotions (MAP)	
101000 CASH	\$5,180.07
2220 Library	
101000 CASH	\$633.56
2390 Drug Forfeiture	
101000 CASH	\$549.95
3050 GO Bond	
101000 CASH	\$350.00
5210 Water Operating Fund	
101000 CASH	\$406.01
5310 Sewer Operating Fund	
101000 CASH	\$1,068.68
7010 Social Services/Help Fund	
101000 CASH	\$494.20
Total:	\$101,238.97

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting & Work Session
April 7, 2015

COUNCIL MEMBERS PRESENT: Mayor Brad Schmier, Jerry Johnson, John Costello, Cole Parker, Greg Forsythe

OTHERS PRESENT: Finance Director Lanie Gospodarek, Assistant Public Services Superintendent David Arnado, Social Services Assistant Kathi Arnado, Town Attorney Jane Mersen

The meeting is called to order by Mayor Brad Schmier at 7:00 PM in the West Yellowstone Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana.

Portions of the meeting are being recorded.

The Treasurer's Report with corresponding banking transactions is on file at the Town Offices for public review during regular business hours.

WORK SESSION

Mayor Schmier calls the meeting to order and explains that the first item of discussion is the Collective Bargaining Agreement for the West Yellowstone Employees Unit of the Montana Public Employees Association. Schmier asks Council Member Johnson and Finance Director Lanie Gospodarek to describe the agreement and answer any questions from the Council. The agreement has been approved by the Employees Unit and is on the agenda for consideration by the Council later this evening. Johnson explains the language changes made to the section that addresses the use of floated holidays. Other changes were made in the agreement that affect taking vacation time, pay out of sick leave, steward release during work hours, probation, seniority, advance leave time requests, grievance process, uniform provisions, health and wellness, and compensation. Johnson and Gospodarek answer multiple questions from the Council. Mayor Schmier points out that the language about the treadmill in the basement of the Town Hall may conflict with Policy No. 31. Johnson points out that this contract is only for two years, unlike the previous contract that was for six years. He says that was easily agreed on and no one was happy about the fact that it took so long to negotiate this contract. Johnson thanks everyone that worked on the agreement for their time and efforts, he also thanks Town Attorney Jane Mersen for her advice and guidance through the process.

Mayor Schmier says they have two major employee recruitments underway, the Operations Manager and Social Services Director. The Council discusses the proposal they recently received from the Prothman recruiting firm, a firm out of Washington state that specializes in recruiting management positions for local governments. The Prothman proposal offers to conduct the recruitment for \$18,000 plus expenses. Schmier points out that other jurisdictions in the region including Belgrade and Red Lodge have used this firm. After further discussion, the Council indicates that they would like to proceed with the process and direct the staff to request a specific contract for action by the Council at the next meeting.

The Council discusses the job announcement, salary, and job description for the Social Services Director. The Council makes recommendations for minor changes to the job description and Mersen agrees. The Council directs the staff to start advertising for the position.

The Council adjourns the work session at 7:15 PM and the regular meeting starts at 7:30 PM.

ACTION TAKEN

- 1) Motion carried to approve the claims which total \$71,131.74. (Forsythe, Parker)
- 2) Motion carried to approve the Consent Agenda, which includes the minutes of the March 17, 2015 Town Council Meeting and March 31, 2015 Town Council Work Session. (Forsythe, Parker)

- 3) Motion carried to approve the request from Ramona Stubblefield to waive the resort tax bond for the Euro Café based on a satisfactory payment history at her other business, Serenity Bistro. (Parker, Johnson)
- 4) Motion carried to reappoint Vickie Barta to the Parks & Recreation Advisory Board for a term of four years. (Costello, Johnson)
- 5) Motion carried to reappoint Jeremy Roberson and John Stallings to the Tourism Board of Trustees for four-year terms. (Johnson, Parker)
- 6) Motion carried to approve and ratify the Collective Bargaining Agreement with the MPEA Employees Unit, effective through July 31, 2016. (Johnson, Parker)

Public Comment Period

No public comment is received.

Council Comments

Council Member John Costello reports that he recently attended a meeting at the Forest Service about the future of the smokejumper base in West Yellowstone. His interpretation of the situation is that they will be okay in the short-term but the long-term plans do not look promising. Council member Parker agrees and says that they will have an operational base this year, which is beneficial for fighting forest fires and protecting the Town. WY News Editor Jeremy Weber adds that the presentation he was sent outlined six options for the future of the base, most of which were more cost-effective than rehabilitating the base here in West Yellowstone.

Forsythe says he has a couple of issues he wants to bring up. He says that he thinks they should still pursue installing a timeclock system, especially considering the agreement they expect to approve this evening. He says he also wants to make sure they follow up on the suggested changes to the resort tax ordinance that came about as a result of the appeal by Glenn Hales on behalf of the Yellowstone Imax Theater. He also says that he appreciates the daily update emails from the staff of the Town Office, but acknowledges those take time and perhaps they don't need an update every day. He suggests three times a week for the weeks they don't have a meeting and twice a week for the weeks that they do. Schmier asks Mersen about the public records request policy. Mersen says that she forwarded some examples to the Council previously and says that she can work on drafting a policy.

DISCUSSION

- 4) Mayor Schmier explains that Roger Merrill, on behalf of the Playmill Theater, has requested an audience before the Town Council to discuss the results of his recent resort tax audit. Merrill addresses the Council and explains that when they purchased the Playmill Theater in 2005, they researched the resort tax ordinance and determined that online sales of theater tickets are not subject to the resort tax. He says that the ordinance was adopted over thirty years ago and has only been updated sporadically. He asserts that his business was audited in 2007 and found to be in compliance so he does not understand why his online ticket sales are now considered taxable. Schmier responds that the information that has been provided indicates that they did not complete the audit in 2007 and therefore cannot be considered to be in compliance. He asks Merrill what he is asking from the Town. Merrill says he would like clarification in the ordinance. He says that the closest example in the ordinance is catalog sales, which are deemed to be non taxable because the goods are shipped outside of town. He says that a theater ticket is neither a good or service but actually a limited license. Johnson clarifies that they do collect the tax on tickets sold over the phone or at the ticket office, but they believe that an internet transaction is an entirely different thing and Merrill agrees. Schmier says that since this is an ordinance, the Council does not have the authority to waive it and defers to Town Attorney Jane Mersen. Mersen says that she has responded to Mr. Merrill's attorney and agrees that they do need to update the ordinance, but says it is her opinion

that purchasing a ticket over the internet is merely a pre-payment for the experience in West Yellowstone and therefore is subject to the tax.

- 6) Costello says that he would like to credit both sides for working on this agreement and appreciates their efforts. Johnson asks the rest of the Council if they would like them to move forward with negotiating the collective bargaining agreement with the Police unit. The Council agrees and designates Johnson and Gospodarek to proceed with that negotiation.
- A) **Advisory Board Reports:** Council Member Cole Parker reports that the Planning Board has been meeting regularly and is making progress on the Growth Policy. Johnson reports that he talked to Glen Loomis who has closely been monitoring House Bill 262. The bill is indefinitely frozen but the majority leader from Dillon has the option of bringing it back to the floor for another vote. Loomis is optimistic that this is a real possibility.
- B) **Department Head Reports:** Schmier reports on behalf of Operations Manager Becky Guay about the two appraisals they are waiting for. Chief of Police Scott Newell reports that Officer Kearney is doing very well and he is working with the Operations Manager to draft an offer of employment for a second agreement. He says that remodeling is going well at the Police Department. Mayor Schmier asks about the agreement with Gallatin County Sheriff Department is going and if they will be able to release the County deputies from that obligation in the near future. Newell says that Officer Courtis is on vacation right now but as soon as he returns he thinks they will be able to cover all of their shifts and no longer require their assistance by the time the summer season takes. Social Services Assistant Kathi Arnado says that things are going well in her department and she is getting assistance from Public Services to pick up food. They will, however, lose the assistance of Frank Bezold as a volunteer on the 17th of the month. Finance Director Lanie Gospodarek says that she is starting to work on budget preparation. Schmier notes that the sewer fund is overdrawn. Gospodarek says that they did not anticipate the substantial increase in the electric bills for the new blowers at the lagoons and that line is over budget. Assistant Public Services Superintendent Dave Arnado says that they are nearly finished with the carpet project at the Povah Center and will be able to focus on finishing at the Police station. He indicates he will also talk to representatives from DOT about the Canyon Street project tomorrow.

CORRESPONDENCE/FYI

Dated March 11, 2015, the West Yellowstone Brownie Troop writes to express a concern and improvement suggestion for the playground at Pioneer Park. Dated March 23, 2015, Gayle Gifford, CEO of the Montana Foodbank Network, writes to announce that the MarketPlace grocery store and volunteer Frank Bezold are being recognized by the Montana First Lady Lisa Bullock at the State Capitol on Friday, April 17, 2015.

The meeting is adjourned. (8:15 PM)

Mayor

ATTEST:

Town Clerk

WEST YELLOWSTONE TOWN COUNCIL

Work Session

April 14, 2015

COUNCIL MEMBERS PRESENT: Mayor Brad Schmier, Jerry Johnson, Greg Forsythe, Cole Parker, John Costello

OTHERS PRESENT: Finance Director Lanie Gospodarek, Public Services Superintendent James Patterson, Town Attorney Jane Mersen, Jeremy Weber-Editor, West Yellowstone News, Helene Righenour

The meeting is called to order by Mayor Brad Schmier at 6:00 PM in the West Yellowstone Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana

Public Comment Period

Pierre Martineau introduces Kirsten Goldstein, a Vista Volunteer who will be conducting a housing study here in West Yellowstone.

Council Comments

Council Member Parker mentions that he is getting a lot of emails that appear to be junk but he can't seem to delete them. Patterson says that he can help him with the problem.

The first topic of discussion is the current Resort Tax Ordinance and proposed changes and clarifications to the ordinance. Town Attorney Jane Mersen points out that the potential changes are highlighted in red. The group begins to work through the ordinance and discuss the proposed changes. They agree to clarify the types of lodging facilities that must tax their accommodations and include "vacation rentals." They also discuss whether a bottle of liquor sold at a bar should be taxed. Bottles of liquor sold at State Liquor stores are not taxed. Mersen indicates that she will look into whether it is appropriate to tax a bottle sold at a bar. The group also discusses including language in the ordinance that clarifies that tax-exempt organizations must collect the tax, but visitors with tax-exempt status must also pay the tax. Mersen says that this ordinance outlines who collects the tax and what is taxed, but does not necessarily address who must pay the tax. She says that she will work on some language they can include in the ordinance that also clarifies that tax-exempt status individuals/organizations must also pay the tax. The Council discusses the section that defines what items are taxed and agrees to the proposed clarifications and additional language. The Council discusses whether items such as tanning passes, car washes, gumball machines, and non-souvenir clothing should be taxed. Johnson suggests that rather than focusing on what they should tax, they should focus on what is not taxable as that is a shorter list. The Council discusses minor changes to the random audit process. There is also discussion about property tax relief. Finance Director Lanie Gospodarek explains that if resort tax collections exceed the budgeted amount, that money is put directly into the General Fund to offset any necessary property mill levy. The Council discusses the penalty structure at length. The current proposal is to reduce the 10% penalty per month to 3% on outstanding tax and penalties, in addition to the \$25 or \$50 fee for not paying by the end of the month. Businesses that pay by the 20th of the subsequent month are permitted to keep 2.5% of the 3% tax as an administrative fee, but payments received after the 20th must include that 2.5% in the payment. Multiple penalty structures are discussed and there is general agreement to remove "penalties" from the sentence that outlines that 3% interest will be charged per month on the amount of delinquent tax. The group also briefly discusses the civil penalties that may be awarded by a court for delinquent tax. Mayor Schmier thanks everyone for their participation and explains that a new draft will be prepared with the changes discussed this evening.

The next item of discussion is a Public Records Request process and guidelines for responding to such requests. The Council has had opportunity to review multiple policies from other municipalities. Town Attorney Jane Mersen has prepared a draft policy for the Council to review, based on common approaches by other municipalities. The Council discusses the fee schedule and makes recommendations. Mersen indicates that she will take their comments into consideration and prepare a new draft.

The Council discusses the recruitment of a new Operations Manager. The Council has been considering contracting the recruitment process through a professional firm and has been looking

specifically at the Prothman Company. Prothman has run recruitments in Red Lodge and Belgrade in the recent past and the estimated fee plus expenses is expected to run close to \$25,000. Johnson says that he looked into a couple other companies that offer the same service and the cost would be expected to be about the same. He says that he has talked to Slavin Management Consultants and will request a contract and more information about their service. Town Clerk Liz Roos says she will contact Prothman to find out if they are willing to make a 2-year guarantee on their service and what their placement track record is. The Council agrees that they would like to move forward with this process at the regular Council Meeting next week.

The meeting is adjourned. (8:25 PM)

Mayor

ATTEST:

Town Clerk

Town of West Yellowstone Business License Application

Business Name: Geyser Inn
Applicant: Philip Zang
Contact Person: Philip Zang
Mailing Address: P.O. BOX 1321
Physical Address of Business: 107 S Electric
Phone Number: 801-660-8453 Fax Number: _____
Email Address: tz8324@hotmail.com Website: www.geyser-inn.com

Signature of Property Owner of Record: Philip Zang

Subdivision: Grizzly Park
Block: 2 Lot: 10

Zoning District, please mark one:

- B-3 Central Business District (Old Town) PUD Planned Unit Development (Grizzly Park)
 B-4 Expanded Business District (Grizzly Park) Residential Districts, Home Occupations Only (Mad Add)
 E-2 Entertainment District (Grizzly Park)
- New Business Transfer of Ownership
 Change of Location Name Change

- Is this business licensed by the State of Montana? Yes No
- Appropriate City/County/Health Dept approvals (if applicable) Yes No (please attach)
- If this business is located in Grizzly Park, has the business been approved by the Grizzly Park Architectural Committee (GPAC)? Yes No

Type of Business Please explain in detail the following: number of units, seating capacity, etc. Contractors should list trailers and equipment and where these items will be stored.

Hotel with 23 rooms.

Business License Fee: \$ 50 + 69

Resort Tax Bond: \$ 500

Total Amount Due: \$ 619

Philip Zang
Signature of Applicant

Signature of Applicant
4-14-2015
Date

FOR OFFICE USE ONLY

Date Approved by Town Council: _____

Date 4/14/15 Check # 1071 Amount \$ 619.00 License # _____

SCN _____ BLP _____ STX _____ BLC _____ RDX _____

Sam Lo

From: Lewis, Shane <Shane.Lewis@gallatin.mt.gov>
Sent: Wednesday, April 15, 2015 7:48 AM
To: 'saml@sinotech-usa.com'
Cc: Lewis, Shane
Subject: Provisional approval to open and operate Geysers Inn, Located at 101 South Electric, West Yellowstone

April 15, 2015

Geysers Inn
Attn: Sam Lo and Philip Zang
P.O. Box 298
West Yellowstone, MT 59758

RE: Provisional approval to open and operate Geysers Inn, Located at 101 South Electric, West Yellowstone.

Facility has provisional approval to open and operate until next scheduled trip to West Yellowstone, which is the 13th thru the 15th of May 2015. Facility will be contacted for pre-opening inspection and licensure at this time.

If I may be of assistance or should you have any questions, please contact me at 582-3120.

G. Shane Lewis, Ph.D., R.S.
Environmental Health Services
Gallatin City-County Health Department
215 W. Mendenhall, Room 108
Bozeman, MT 59715
(406) 582-3120
(406) 582-3128 fax
shane.lewis@gallatin.mt.gov



www.healthygallatin.org

Thanks for not printing electronic media

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Tabbed pending appraisal
1-20-15 GR



HEBGEN BASIN FIRE DISTRICT

P.O. Box 1508 • West Yellowstone, MT 59758

Station 1

10 S. Faithful

West Yellowstone, MT 59758

Station 2

20 Tern Lane

West Yellowstone, MT 59758

Station 3

10 Denny Creek Road

West Yellowstone, MT 59758

406-646-9094 • 406-646-9090 fax

Resolution 12-1-14

A RESOLUTION OF INTENT FOR THE PURPOSE OF PURCHASING THE EMERGENCY SERVICES BUILDING FROM THE TOWN OF WEST YELLOWSTONE.

Whereas, the Hebgen Basin Fire District (HBFD) and the Town of West Yellowstone (Town) have an Interlocal Agreement that defines the use and maintenance of the Emergency Services Building/Fire (ESB) Station 1; and

Whereas, the Town has vacated the ESB and HBFD is using the entire building including the former Town offices; and

Whereas, the HBFD has a need and desire to perform substantial maintenance on the building;

Whereas, under the Interlocal Agreement both HBFD and the Town have a responsibility for maintenance and care of the building; and it may be mutually agreeable and desirable to have HBFD as the owner of the building and solely responsible for its maintenance; and

Whereas, the HBFD has a desire to purchase the ESB and the Board of Trustees is authorized in MCA 7-33-2105 to make purchases and own real property;

Now Therefore Be It Resolved;

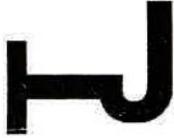
The Board of Trustees having found; that the purchase of the ESB is in the best interest of the HBFD and the community; it is the intent of the Board of Trustees to authorize \$200,000 for the purchase of the ESB plus 50% of closing costs and appropriate fees. The purchase is contingent on an agreeable Memorandum of Understanding for the lease of the underlying property where the ESB is built.

Signed

Robert Godwin----Board Chairman

Date

12/17/14



from the desk of:

Joel Peterson
Appraisal Inc.
1910 N 22nd Ave
Suite 2
Bozeman, MT 59718

April 8, 2015

Ms. Liz Roos
Town Clerk
Town of West Yellowstone
PO Box 569
West Yellowstone, MT 59758
eroos@townofwestyellowstone.com

Re: 400 Yellowstone Avenue, West Yellowstone, MT 59758 - Emergency Services Building

Dear Ms. Roos:

Pursuant to your request, I have visited and appraised the real property located at 400 Yellowstone Avenue in West Yellowstone, MT. The date of the property visit was March 30, 2015, which is also the effective date of this appraisal. Ownership is in the name of the Town Of West Yellowstone.

The subject property at 400 Yellowstone Avenue is a 8,000 square foot commercial building that functions as the Emergency Services Building and is situated on a 2.966 acre lot 7,500 square foot lot. The subject functions as the operational base for the local fire district in West Yellowstone and the Hebgen Basin. West Yellowstone, MT is a gateway community to Yellowstone National Park.

The property right being appraised is the leasedhold interest in the building. The building only will be valued and the site will not be included in the value. The intended user of this summary report is the owner for determining the fair market value of the property for accounting purposes and the possible sale to the Fire District.

My valuation is based on the consideration of market data derived from recent building sales in the area, as well as from a cost approach to value. This appraisal conforms to the Uniform Standards of Professional Appraisal Practice (USPAP), Standards 1 and 2, and is reported in a summary format.

It is my conclusion that as of the effective date of the appraisal, March 30, 2015, the "as is" market value of the leasehold interest of subject property as a value in use is **\$533,000**.

Respectfully submitted,



Joel Peterson
MT Certified General Appraiser #163
Expires 03/31/2016



1 from Yellowstone Avenue

ORDINANCE No. 258

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WEST YELLOWSTONE, MONTANA REVISING THE WEST YELLOWSTONE MUNICIPAL CODE TO REVISE THE RESORT TAX ORDINANCE AMENDING SECTION 3.12.

WHEREAS, the Town Council of the Town of West Yellowstone has enacted a Resort Tax Ordinance pursuant to §7-6-1502 et. seq, MCA; and

WHEREAS, the Town Council of the Town of West Yellowstone believes that changes and updates to that ordinance are in order for the benefit and well being of the citizens of the Town of West Yellowstone; and

WHEREAS, the Town Council has consider the proposed amendments to the Town Code at a public meeting on April 21, 2015 and at a public hearing on _____, and allowed for public comment at both; and

WHEREAS, after due consideration, the Town Council of the Town of West Yellowstone desires to adopt the changes proposed and discussed:

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of West Yellowstone that the amendments that are set out on the attached Exhibit A, which effectively amend the municipal code of the Town of West Yellowstone, more specifically Sections 3.12.010 through 3.12.190 as set out on the attached exhibit:

Section 1: See attached Exhibit A

Section 2: REPEALER: All ordinances and parts of ordinances in conflict with provisions of this ordinance, except as provided above, are hereby amended or repealed.

Section 3: EFFECTIVE DATE: This ordinance shall be in full force and effect thirty (30) days after final adoption by the Town Council of the Town of West Yellowstone.

Section 4: SEVERABILITY: If any portion of this ordinance or the application therefore to any person or circumstance is held invalid, such invalidity shall not affect other provisions of this ordinance which may be given effect without the invalid provisions or application and, to this end, the provisions of this ordinance are declared to be severable.

PASSED BY the Town Council and approved by the Mayor of the Town of West
Yellowstone, Montana, this ____ day of _____, 2015.

Mayor

ATTEST:

Town Clerk/Treasurer

3.12.010 Created--General provisions--Imposed.

A. There is imposed a resort tax on the retail value of all goods and services sold within the town, regardless of the method or manner of the transaction, by the following businesses, groups or organizations:

1. Hotels, motels, condominiums, vacation rentals, cabins and any other nightly or weekly lodging or camping facilities;
2. Restaurants, fast food stores, convenience stores, and other food service establishments;
3. Taverns, bars, nightclubs, lounges and other public establishments that serve beer, wine, liquor or other alcoholic beverages by the drink;
4. Groups, organizations, or temporary vendors, with or without tax exempt status;
5. Any business that sells luxuries as defined in 3.12.040 below.

Businesses or organizations that sell luxuries must collect a tax on such luxuries.

3.12.020 Definitions.

A. The terms "luxuries," "medical supplies," and "medicine" shall be defined as set forth in MCA Section [7-6-1501](#), and as set forth in more detail below.

B. All references to the "resort tax" and "tax" in this chapter shall refer to the resort tax passed by the electorate of West Yellowstone and as enacted by the ordinance codified in this chapter.

3.12.030 Imposed.

There is imposed a duty on each operator of any of the establishments mentioned in this chapter to collect, upon sale, the tax imposed as set forth in this chapter on all customers, regardless of state or federal tax status, with the only exceptions being those set out in § 3.12.130.

3.12.040 Luxuries tax.

Each business, group or organization subject to the tax shall collect the same on the retail value of all goods and services sold within the town by the establishments set forth in Section [3.12.010](#). All luxuries shall be taxed.

"Luxuries" shall include but not be limited to:

a.) any gift item, luxury item or service, or other item, or other item normally sold to the public or to transient visitors or tourists; but the term does not include food purchased unprepared or unserved, medicine, medical supplies and services, or any necessities of life.

b.) sporting goods or the rental thereof,

c.) rentals on or for the following snowmobiles, automobiles, all-terrain vehicles, motorcycles, bicycles, skis, boats, campers, boat motors;

d.) recreational lessons and recreational services, including float trips, guided trips, skiing, fishing trips, hunting trips, backcountry dining trips, other outfitter trips; horseback riding; golfing, rock climbing, cycling, rafting, canoeing, kayaking, dog sledding and ballooning, tours and other attractions ;

e.) all souvenir and localized items such as imprinted hats and T-shirts and curios; all nonfood items such as cleaning supplies, housewares (other than household appliances), automotive supplies and parts; ice; retail liquor, beer and wine, except that sold at state stores.

f.) all attractions such as arcades, bowling centers, concerts, movie/theater tickets and all concessions; event and entertainment tickets (regardless of the method or location of purchase), cover charges, rodeo tickets, voluntary recreational activities such as golfing, swimming, skiing, tanning beds , and other voluntary recreational daily tickets and season passes.

3.12.050 Rate--Duration.

A. The exact rate of the resort tax is three percent.

B. The duration of the resort tax as approved by the voters on November 5, 1985 is twenty years from its effective date. The effective date of the resort tax is January 1, 1986.

C. The duration of the resort tax renewal as approved by the voters on November 5, 2002, is twenty years from its effective date. The effective date of the resort tax renewal is January 1, 2006.

3.12.060 Resort tax payment.

The resort taxes collected by a business in any month are to be paid to the town on or before the twentieth day of the following month, or if such day falls on a Saturday, Sunday or holiday, then on the next business day.

Resort tax payments sent by mail or private courier must be received by the town on or before the twentieth day of each month, or if such day falls on a Saturday, Sunday or holiday, then on the next business day.

3.12.070 Collection duties and responsibilities.

- A. The office responsible for receiving and accounts for the resort tax receipts is the town clerk and treasurer.
- B. The operations manager and his/her agents shall be responsible for enforcing the collection of resort taxes and shall be responsible for overseeing the methods and procedures to be used in enforcing the collection of the resort taxes.

3.12.080 Resort tax collection fee.

Each collecting merchant shall be entitled to withhold two and one-half percent of the resort taxes collected to defray costs for collecting the resort tax, providing that resort tax payments are timely made in accordance with Section [3.12.060](#). The resort tax collection fee may be withheld by the business at the time of paying the tax to the town. Failure to withhold the fee shall constitute waiver and forfeiture of the same.

3.12.090 Records and forms.

The town shall provide each business that is required to collect resort tax with the proper forms for reporting and making payment to the town. Resort tax payments to the town shall be tabulated and accounted for on forms prescribed and furnished to the business by the town. The records and forms held by the town shall be confidential, and shall not be open to inspection by the public unless so ordered by a court of competent jurisdiction. Each business that is required to collect resort tax must maintain adequate accounting records and pay the resort tax to the town on the forms provided by the twentieth day of the following month. The accounting records maintained must be accurate, verifiable, and provide a reasonable audit trail. Failure to maintain adequate accounting records constitutes a violation of this chapter.

3.12.100 Preservation of records.

Every business required to collect and pay resort tax shall keep and preserve for a period of not less than three years all records necessary to determine the accuracy of the taxes paid, and shall make these records available for audit or inspection on its business premises at all reasonable times. Any audit or inspection shall be conducted in West Yellowstone on the premises of the business or establishment collecting the resort tax or at such other location as the town may determine.

3.12.110 Random audit.

Periodic random audits shall be conducted under the direction of the mayor, operations manager or a designated representative and all business operators shall cooperate in all respects in the conduct of the audits. Any random audit shall be for the previous calendar year, and shall be conducted in West Yellowstone

on the premises of the business or establishment collecting the resort tax or at such other location as the town may determine. If the audit determines a deficiency it will be at the discretion of the town to audit the previous two years and require a follow up audit on the next reporting year. Payments and or arrangements for payment of the amount determined as outstanding resort tax owed must be paid or arranged within thirty (30) days of the date of the notification of the audit results. Failure to cooperate in any audit or inspection of records, including the failure to make the appropriate records available within fourteen (14) calendar days of the auditor's scheduled audits in West Yellowstone, may result in an automatic non-renewal of the business license for the subsequent business license year and shall constitute a violation of the provisions of this chapter.

3.12.120 Appeals.

Any business may appeal to the town council any assessment of penalty or interest; provided, that notice of appeal in writing is filed with the town clerk within thirty days of the serving or mailing of the determination of the amount of penalty and interest due. The town council shall on the next immediate regular town council meeting fix the time and place for hearing the appeal and the town clerk shall cause notice in writing to be personally served by a peace officer upon the operator. The findings and decision of the town council shall be final and conclusive and shall be served upon the appellant in the manner prescribed for service of notice of hearing or by certified mail directed to the business operator's last known address. Any amount found to be due shall be immediately payable upon service of the findings and decision.

3.12.130 Exemptions.

Notwithstanding Section [3.12.040](#), however, the following goods and services shall be exempt from the tax:

- A. Utilities and utility services;
- B. Medical supply services and medicine;
- C. Wholesale merchandise for resale at retail or used in the purchaser's business as supplies;
- D. Gasoline and other motor vehicle fuel;
- E. Liquor sold at state liquor stores;
- F. Propane and similar home fuels;
- G. Sales of automobiles, trucks, snowmobiles, motorcycles, all-terrain vehicles, bicycles, skis, boats, outboard motors and chain saws;

- H. Labor on automobiles, trucks, snowmobiles, motorcycles, all-terrain vehicles, bicycles, boats, outboard motors and chain saws;
- I. All non-recreational labor, services and non-recreational state licensed professions and trades;
- J. All payroll and business and labor costs;
- K. Lumber, building supplies and tools, and other tools;
- L. Household appliances;
- M. Any hotel, motel, campground or other lodging facility occupancy, with respect to any person or persons who occupy a room or a space for a period longer than thirty consecutive calendar days; provided, that such person certifies prior to occupancy that the occupancy will exceed thirty consecutive calendar days and does in fact exceed thirty consecutive calendar days;
- N. All sales of goods from catalogs paid for from outside of the boundaries of the town; that is, catalog sales of goods shall be exempt except to the extent that the goods are paid for and the exchange is made within the boundaries of the town. This exemption does not apply to any purchases made over the Internet or over the telephone or by any other electronic means for any goods, services or other luxuries.

3.12.140 Use of tax moneys.

- A. The tax moneys derived from the resort tax may be appropriated by the town council for any activity, undertaking, or administrative service that the municipality is authorized by law to perform, including costs resulting from the imposition of the tax.
- B. There is established a marketing and promotion (MAP) fund for the town. Two and one-half percent of the three percent resort tax collected by the collecting merchant shall be dedicated exclusively to the MAP fund, which fund shall be used solely for the marketing and promotion of West Yellowstone and the surrounding area, as well as the associated costs of administering the fund. The town council may appropriate additional resort tax receipts to the MAP fund.
- C. The town council shall by resolution establish a board of not less than three or more than seven qualified persons to oversee the MAP fund. At least one member of this board shall be a sitting member of the town council or the council's designee. The board shall establish policies and procedures for its operation and the general management of the fund in accordance with the council's resolution establishing the board. The board

shall also select individual marketing and promotion projects and approve expenditure of funds for such projects, subject to approval by the town council.

3.12.150 Reduction of property tax levy.

Annually anticipated receipts from the resort tax must be applied to reduce the municipal property tax levy for the fiscal year in an amount equal to five percent of the resort tax revenues derived during the preceding fiscal year.

3.12.160 Property tax relief fund.

In the event the town receives more resort tax revenues than had been included in the annual municipal budget, it shall establish a municipal property tax relief fund, and all resort tax revenues received in excess of the budget amount must be placed in the fund. The entire fund must be used to replace municipal property taxes in the ensuing fiscal year.

3.12.170 Resort tax administration.

The town shall administer resort tax collections according to the following rules:

- A. Resort tax payments shall be made to the town finance office by the established deadline.
- B. Failure to report or make resort tax payments by the payment deadline shall result in forfeiture of the resort tax collection fee for the month in which the payment is due.
- C. Failure to pay resort tax before the end of the month in which the payment is due shall result in an administrative fee of either: (1) twenty-five dollars for businesses with gross sales of one thousand five hundred dollars or less for the reported month; or (2) fifty dollars for businesses with gross sales in excess of one thousand five hundred dollars for the reported month, which shall be in addition to any civil penalties awarded to the town in a suit for collection of resort tax.
- D. At the end of each subsequent month after the original payment is due, the town will assess interest at the rate of three percent (3%) of any delinquent resort tax, which shall be assessed on the first business day of the subsequent month and on the first day of each month thereafter until the total amount due, including the administrative fee, is paid in full. This and all administrative fees shall be assessed in addition to any civil penalties awarded to the town in a suit for collection of resort tax.

E. The town may revoke the business license of any person or business that violates any provision of this chapter. The town may revoke a violator's business license either through the administrative procedure described in Chapter [5.04](#) or through a court order or judgment in accordance with Section [3.12.180](#).

3.12.180 Violation--Civil penalties.

For failure to report taxes when due, failure to pay taxes when due, and other violations of this chapter, the town may seek the following penalties or remedies:

A. A court judgement in the amount of all unpaid resort taxes, including any unpaid administrative fees assessed under Section [3.12.170](#) and any resort tax collection fees forfeited in accordance with Section [3.12.080](#);

B. Interest at the rate of ten percent (10%) per annum on unpaid resort taxes or administrative fees from the due date or assessment date until paid;

C. A civil penalty in the amount of fifty percent (50%) of the unpaid resort taxes, which includes forfeited resort tax collection fees, plus all costs and attorney's fees incurred by the town in any court action;

D. An order requiring the delinquent business to undergo a financial audit by the town or its representatives to determine the proper amount of resort taxes due, including payment by the business of all audit costs and expenses incurred by the town or its representatives;

E. Revocation of the violator's town business license, either through judicial order or the administrative procedure described in Chapter [5.04](#);

F. Any other penalty, remedy or judicial relief to which the town is entitled.

3.12.190 Violation--Criminal penalties.

A person or business violating any provision of this chapter is guilty of a misdemeanor and subject to a fine not exceed one thousand dollars for each violation, or imprisonment not to exceed six months for each violation, or both.

RESOLUTION NO. 661

**A RESOLUTION OF THE TOWN OF WEST YELLOWSTONE
ESTABLISHING A FEE SCHEDULE FOR PUBLIC RECORDS SEARCHES AND
COPYING AND A FEE SCHEDULE FOR COPIES AND RESEARCH OF
ELECTRONIC PUBLIC RECORD INFORMATION AND ESTABLISHING A
PROCEDURE FOR REQUESTING PUBLIC RECORDS AND FOR IMPLEMENTATION
AND COLLECTION OF THE FEE SCHEDULE**

WHEREAS, Section 7-1-4144, Montana Code Annotated (MCA) ensures that any person shall be allowed access to appropriate public records consistent with the provisions of the Montana Constitution while allowing for the governing body to impose reasonable fees for copies of accessible records; and,

WHEREAS, Section 2-6-110, MCA provides that access to public records ensured by the Montana Constitution and Section 7-1-4144, MCA is extended to electronic information and that fees may be charged to cover directed expenses for procuring or transferring the electronic information; and,

WHEREAS, Subsection 7-1-4123(7), MCA empowers municipalities to impose a special assessment reasonably related to the cost of any special service or special benefit provided by the municipality or impose a fee for the provision of a service; and

WHEREAS, a public meeting was held on this matter on the 21st day of April, 2015, at 7:00 p.m. in the Town Council Chambers at 440 Yellowstone Avenue in West Yellowstone, Montana.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WEST YELLOWSTONE, MONTANA, that the following procedures and fees be applied in responding to requests for public records:

1. All requests for public records shall be subject to this policy.
2. Request forms are to be completed for any non-routine public information records that are pulled for review or copying. The form serves several functions: (1) to give the Town a comprehensive understanding of the types of information being requested; (2) to facilitate making it available on the Internet or adding it to the list of routine public records requests for which fees are not charged; (3) to be able to contact the requester if a request cannot be filled right away; and (4) to provide a receipt for money collected.
3. All request forms submitted must be signed by the Department Head (or his/her designee) for the respective department. This shall constitute authorization for departmental staff to fill the request.
4. The Town Clerk's Office shall be the Office of Record for completed Records Request Forms. All request forms should be forwarded to the Town Clerk upon completion and response to the request.

5. It should be noted on the form what documents/files were reviewed or copied and the charges, if any, that were charged.
6. Once a request for records has been received, it will be responded to in a timely fashion, but at least within twenty (20) business days. The Town will respond to any request to inspect records with an effort to allow viewing at the time of the request.
7. Departments are not required to obtain a person's name and contact information in filling a request for public records. If a department cannot fill a request right away, it should try to get the name and contact information of the requester to contact them when the request has been filled and is ready. Department heads or their designees have discretion to require payment before or after service is provided.
8. Blank request forms should be available in all offices to avoid sending citizens between offices and facilities.
9. NO NEW DOCUMENT OR RECORD will be created to respond to a records request. Applicable records may be made available for requester to compile his/her own data.
10. Any request, which does not refer to an "identifiable" public record, shall not be processed until the requester provides further information. It shall be the responsibility of the department receiving the request to notify requester that further information is required before the request can be processed and to attempt to get that information so the request can be processed in a timely manner.
11. Staff shall make copies of Town records during normal office hours. For security reasons and to avoid unreasonable disruption of operations, copying facilities will not be available for use by the public.
12. Computer or electronic records will be made available pursuant to § 2-6-110, M.C.A. (See details under Fees/Charges). Staff shall notify requester of the hourly rate that will be charged under this section BEFORE proceeding with processing the request, thereby allowing requester the right to cancel request. The hourly rate shall be \$_____ per hour.[This would be the hourly rate for an IT person to make an electronic search-]
13. This resolution does not supersede any rules of evidence or rules governing the production of information or documentation in the course of litigation; or the rules governing confidential criminal justice information.

DEFINITIONS:

Public Records. § 7-1-4144, M.C.A.

- (1) "Except as provided in subsection (2), all records and other written materials in the possession of a municipality shall be available for inspection and reproduction by any person during normal office hours. The governing body may impose reasonable fees for providing copies of public records.
- (2) Personal records, medical records, and other records that relate to matters in which the right to individual privacy exceeds the merits of public disclosure shall not be available to the public unless the person they concern requests they be made public.
- (3) Except as provided by law and as determined by the chief law enforcement administrator, law enforcement records that relate to matters in which the right to individual privacy or law enforcement security exceeds the merits of public disclosure shall not be available to the public."

Public Records. § 2-6-202, M.C.A.

(1)(a) "Public records" includes any paper, correspondence, form, book, photograph, microfilm, magnetic tape, computer storage media, map, drawing, or other document, including copies of the record required by law to be kept as part of the official record, regardless of physical form or characteristics, that has been made or received by a state agency to document the transaction of official business; is a public writing of a state agency pursuant to 2-6-101(2)(a); is designated by the State Records Committee for retention pursuant to this part; and all other records or documents required by law to be filed with or kept by any agency of the State of Montana.

(b) The term includes electronic mail sent or received in connection with the transaction of official business.

(c) The term does not include any paper, correspondence, form, book, photograph, microfilm, magnetic tape, computer storage media, map, drawing, or other type of document that is for reference purposes only, a preliminary draft, a telephone message slip, a routing slip, part of a stock of publications or of preprinted forms, or a superseded publication. (This applies to the City as a political subdivision of the State of Montana.)

Records of Officers Open to Public Inspection. § 2-6-104, M.C.A.

Except as provided in §27-18-111, MCA and §42-6-101, MCA, the public records and other matters, except records that are constitutionally protected from disclosure, in the office of any officer are at all times during office hours open to the inspection of any person.

Removal of Public Records. § 2-6-105, M.C.A.

Any record, transcript of which is admissible in evidence, must not be removed from the office where it is kept, except upon the order of a court or judge in cases where the inspection of the record is shown to be essential to the just determination of the cause or

proceeding pending or where the court is held in the same building with such office.

Prohibition on Distribution or Sale of Mailing Lists. § 2-6-109, M.C.A.

- (1) “Except as provided in subsections (3) through (9), in order to protect the privacy of those who deal with state and local government: (a) an agency may not distribute or sell for use as a mailing list any list of persons without first securing the permission of those on the list; and (b) a list of persons prepared by the agency may not be used as a mailing list except by the agency or another agency without first securing the permission of those on the list.
- (2) As used in this section, “agency” means any board, bureau, commission, department, division, authority, or officer of the state or a local government.
- (3) Except as provided in § 30-9-403, M.C.A., this section does not prevent an individual from compiling a mailing list by examination of original documents or applications that are otherwise open to public inspection.

Routine Public Information

Material that is prepared for the public and is made available to them on a regular basis. This is often prepared for promotional or advisory reasons and prepared in mass quantities for general distribution with the intent of mass distribution. **NO REQUEST FORM IS REQUIRED** for these materials. Examples: Town Charter, Town Commission Agendas, Board and Commission Agendas, , Brochures, Pamphlets, Applications, and Blank Bid Packets.

Non-Routine Public Information

Material prepared in the regular course of Town business (i.e. regular departmental business records) that the public requests to view or have copied. These records document regular business transactions by each department and are not prepared for mass distribution. **THE REQUEST FORM MUST BE COMPLETED** identifying the record provided and signed by the department head or his/her designee before responding to the request.

NOTE: If a particular item of information is not contained in the departmental list(s) or if the department is unsure as to whether such information is required to have a request form completed, contact the Town Clerk's Office OR have a request form completed.

If a department is unsure as to whether the information can be released to the public because of potential privacy concerns, contact the Town Attorney's Office.

If a department has received a ruling from the Town Attorney's Office regarding a certain type of record created and maintained by the department, the department shall continue to use that directive for that record until notified otherwise.

Due to the nature of change in municipal government, "drafts" often represent work in various stages of completion. Drafts should be stamped "DRAFT" and if copies are provided to

the requester, the requester should be advised that the document is NOT final and subject to changes.

That the following uniform fee schedule for retrieval and copying of public records is hereby adopted:

PUBLIC RECORDS - No Search Required (Print Media):

Standard size (up to 11" x 17")

Up to 10 pages printed or copied: No charge.

More than 10 pages printed or copied: \$0.15 per page for every page over 10.

Nonstandard size (over 11" x 17"): Actual charges assessed by third party to produce nonstandard size documents.

PUBLIC RECORD SEARCH - Except Criminal Case Defendants: This is for searches that can only be accomplished by a Town employee where searches by the general public are not possible because the initial search must start with information that is contained in electronic format that is only accessible by authorized Town employees, i.e. city court and police.

Electronic search for up to 5 records, printing up to 10 pages of electronically stored documents, and certification: \$5.00 per search for up to 5 records

Search, retrieval, and copying of original documents stored in a location that is not accessible to the public (up to 10 pages): \$10.00 per search per name or report number per date

For copies requiring printing or copying of more than 10 pages: \$0.15 per page

A defendant in a pending criminal action or the defendant's attorney may obtain copies of documents regarding the case at no cost, either for searching, copying, or printing from the Town Attorney's office.

ACCIDENT REPORTS (if not confidential criminal justice information) (Print Media) (Confidential Per §61-7-114, MCA, with exceptions):

Cost of research and copying: \$5.00 per report

Cost of mailing (if required): \$1.00 per report

REPORTS CONTAINING BOTH CONFIDENTIAL AND PUBLIC INFORMATION
(Print Media):

Each record or report up to 5 pages	\$1.00 per report
Copying more than 5 pages in report	\$1.00 plus \$0.15 per page beyond the first 5 pages

PUBLIC RECORDS (Non-print Media):

Charges per §2-6-110, MCA:

- (1) the Town's actual cost of purchasing the electronic media used for transferring data, if the person requesting the information does not provide the media; and
- (2) expenses incurred by the Town for providing on-line computer access to the person requesting access; and
- (3) other out-of-pocket expenses directly associated with the request for information, including the retrieval or production of electronic mail; and
- (4) hourly rate for the current fiscal year for the average wage of a Town employee classified as a deputy town clerk and a town clerk for each hour, or fraction of an hour, after one-half hour of copying service has been provided.

ADDITIONAL CHARGES:

Binding or notebook binder: binder	Reimbursement of actual cost for the binding or binder
Certified copy: records	\$1.00 per record plus copying costs for public records

PASSED BY THE TOWN COUNCIL AND APPROVED BY THE MAYOR this
____ day of _____, 2015.

Mayor

Council Member

Council Member

Council Member

Council Member

ATTEST:

By: _____
TOWN CLERK



April 9, 2015

Mr. Brad Schmier
Mayor
Town of West Yellowstone
440 Yellowstone Avenue
PO Box 1570
West Yellowstone, MT 59758

Dear Mayor Schmier:

Thank you for your confidence in Prothman to assist the Town of West Yellowstone in the recruitment for its next Operations Manager. The following represents a scope of work for this search and associated professional fees and expenses.

SCOPE OF SERVICES

Project Review

The first step will be to review the following topics:

- ◆ Review the scope of work and project schedule
- ◆ Identify the geographic scope of the search (local, regional or national)
- ◆ Review the compensation package and decide if a salary survey is needed
- ◆ Identify key stakeholders

Information Gathering and Research

Our goal is to thoroughly understand the values and culture of the Town of West Yellowstone, as well as the preferred qualifications you desire in your next Operations Manager. We will travel to West Yellowstone and:

- ◆ Meet with the Mayor & Council
- ◆ Meet with Department Directors & Staff as directed
- ◆ Meet with community & business stakeholders as directed
- ◆ **Hold a community meeting (if desired)**
- ◆ Review all documents related to the position

Position Profile Development

We will develop a profile of your ideal candidate. Once the Position Profile is written and approved, it will serve as the foundation for our determination of a candidate's "fit" within the organization and community. Profiles include the following:

- ◆ **A description of the ideal candidate's qualifications**
 - Years of related experience and education required
 - Ideal personality traits and work habits
- ◆ **Organization-specific information**
 - Description of the organization, position and key responsibilities
 - Priorities and challenges facing the organization
- ◆ **Community-specific information**
 - Overview of the region
 - Description of the environment and quality of life details
- ◆ **Compensation package details**
- ◆ **Information on how to apply**

Recruitment and Advertising Strategy

We recognize that often the best candidates are not actively looking for a new position--this is the person we want to reach and recruit. We have an aggressive recruitment strategy which involves the following:

- ◆ **Print and Internet-based Ads** placed nationally in professional publications, journals and on related websites.
- ◆ **Direct Mail Recruitment Brochures** sent directly to hundreds of highly qualified city management professionals who are not actively searching.
- ◆ **Direct Contact Calls** placed directly to city management professionals we know.
- ◆ **Posting the Position Profile on the Prothman website**, which receives thousands of hits per month.

Candidate Screening

Once the application deadline has passed, we will conduct an extensive candidate review designed to gather detailed information on the leading candidates. The screening process has 4 key steps:

- 1) **Application Review:** Using the Position Profile as our guide, we will screen the candidates for qualifications based on the resumes, applications, and supplemental questions (to determine a candidate's writing skills, analytical abilities and communication style). After the initial screening, we take the yes's and maybe's and complete a second screening where we take a much deeper look into the training, work history and qualifications of each candidate.
- 2) **Personal Interviews:** We will conduct in-depth videoconference or in-person interviews with the top 8 to 15 candidates. During the interviews, we ask the technical questions to gauge their competency, and just as importantly, we design our interviews to measure the candidate's fit within your organization.
- 3) **Internet Publication Background Search:** We conduct an internet publication search on all semifinalist candidates prior to their interviews. If we find anything out of the ordinary, we discuss this during the initial interview and bring this information to you.
- 4) **Work Session:** We will prepare a detailed summary report which includes each candidate's application materials and the results of the personal interviews and publication search. **We can travel to West Yellowstone or, to save money, we can meet via phone conference** and advise you of the candidates meeting the qualifications, our knowledge of them, and their strengths and weaknesses relative to fit within your organization. We will give you our recommendations and then work with you to identify the top 4 to 6 candidates to invite to the final interviews. We will discuss the planning and design of the final interview process during this meeting.

Final Interview Process

The design of the final interviews is an integral component towards making sure that all stakeholders have the opportunity to learn as much as possible about each candidate.

- ◆ **Elements of the design process include:**
 - **Deciding on the Structure of the Interviews**
We will tailor the interview process to fit your needs. It may involve using various interview panels (which can include community stakeholders), an evening reception or just one-on-one interviews with the decision makers.
 - **Deciding on Candidate Travel Expenses**
We will help you identify which expenses your organization wishes to cover.

- **Identifying Interview Panel Participants & Panel Facilitators**
We will work with you to identify the participants of different interview panels to ensure that all stakeholders identified have been represented.
- ◆ **Background Checks**
Prior to the final interviews, we will conduct a background check on each of the finalist candidates. Background checks include the following:
 - **References**
We conduct 3-5 reference checks on each candidate. We ask each candidate to provide names of their supervisors, subordinates and peers for the last several years. From this list we will have personal conversations with the individuals who have direct knowledge of the candidate's work and management style.
 - **Education Verification, Criminal History, Driving Record and Sex Offender Check**
We contract with Sterling for all driving record, education verification, criminal history, and sex offender checks. We will conduct a criminal history, driving record and sex offender check on each candidate in the states in which they have worked.
- ◆ **Candidate Travel Coordination**
For those candidates who will be traveling to the final interviews, we work with the candidates to organize the most cost effective travel arrangements.
- ◆ **Final Interview Binders**
We will provide Final Interview Binders. They are the tool that keeps the final interview process organized and ensures that all interviewers are "on the same page" when it comes to evaluating each candidate.
- ◆ **Final Interviews with Candidates**
We will travel to West Yellowstone and facilitate the interviews. The interview process usually begins with a morning briefing where schedule and process will be discussed with all those involved in the interviews. Each candidate will then go through a series of one hour interview sessions, with an hour break for lunch.
- ◆ **Panelists & Decision Makers Debrief:** After the interviews are complete, we will facilitate a debrief with all panel participants where the panel facilitators will report their panel's view of the strengths and weaknesses of each candidate interviewed. The decision makers will also have an opportunity to ask panelists questions.
- ◆ **Candidate Evaluation Session:** After the debrief we will facilitate the evaluation process, help the decision makers come to consensus, discuss next steps, and organize any additional candidate referencing or research if needed.
- ◆ **Facilitate Employment Agreement:** Once the top candidate has been selected, we will offer any assistance needed in developing a letter of offer and negotiating terms of the employment agreement.

Warranty

- ◆ **Repeat the Recruitment:** Should a top candidate not be chosen, we will repeat the recruitment with no additional professional fee.

FEE, EXPENSES & GUARANTEE

Professional Fee

The fee for conducting an Operations Manager recruitment with a one-year guarantee is \$18,000, plus expenses. The professional fee covers all Prothman consultant and staff time required to conduct the recruitment. This includes all correspondence and on-site meetings with the client, writing and placing the recruitment ads, development of the candidate profile, creating and sending invitation letters, reviewing resumes, coordinating and conducting semifinalist interviews, coordinating and attending finalist interviews, coordinating candidate travel, professional reference checks on the finalist candidates and all other search related tasks required to successfully complete the recruitment.

Expenses

Expenses vary depending on the design of the recruitment. We work diligently to keep expenses at a minimum and keep records of all expenditures. The Town of West Yellowstone will be responsible for reimbursing expenses Prothman incurs on your behalf. Expense items include but are not limited to:

- ◆ Newspaper, trade journal, websites and other advertising
- ◆ Direct mail announcements
- ◆ Final Interview Binders, printing of materials, and delivery expenses
- ◆ Consultant travel: airfare, rental car, lodging, travel time
- ◆ Background checks performed by Sterling
- ◆ Any client-required licenses, fees or taxes
- ◆ Candidate travel expenses vary depending on the number of candidates, how far the candidates travel, length of stay, if spouses are included, etc. We will coordinate and forward to your organization the candidates' travel receipts for direct reimbursement to the candidates.

A 3% charge will be added to all expenses which reflects Prothman's City of Issaquah and Washington State B&O tax obligations. Professional fees are billed in three equal installments throughout the recruitment. Expenses are billed monthly.

GUARANTEE

Our record of success in placing highly qualified candidates provides that Prothman will guarantee with a full recruitment that if the selected finalist is terminated or resigns within **one year** from the employment date, we will conduct a replacement search with no additional professional fee.

CANCELLATION

You have the right to cancel the search at any time. Your only obligation would be the fees and expenses incurred prior to cancellation.

Accepted by:

TOWN OF WEST YELLOWSTONE

Brad Schmier
Mayor

Date

PROTHMAN


Greg Prothman
President

April 9, 2015

Date